

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
January 22, 2020 10:00 a.m.

The Governor and Executive Council convened at 10:00 a.m. with all members present.

*

Today's pre-meeting ceremonial items included:

- Councilor Pignatelli offered a reading and led the Pledge of Allegiance.
- Performances by:
 - Gabby Martin; and
 - Peterborough Players.
- Proclamation/Commendation(s):
 - Proclaiming January 28, 2020 as Christa McAuliffe Day.
 - Proclaiming Human Trafficking Awareness Month.

*

The Governor and Executive Council on motion of Councilor Cryans, seconded by Councilor Volinsky voted to approve the minutes of the January 8, 2020 meeting.

*

The Governor and Executive Council, on motion of Councilor Gatsas, seconded by Councilor Prescott, approved the appointment of several persons nominated for Civil Commissions from the January 8, 2020 meeting.

*

The Governor placed into nomination the several persons who applied for Civil Commissions.

*

RESIGNATIONS

The Governor and Council accepted the following resignation:

Board of Medical Imaging and Radiation Therapy - RSA 328-J:3
Frederick T. Olive, New London

Effective: January 22, 2020

New Hampshire Commission for Human Rights - RSA 354-A:4
Matthew P. Mayberry, Dover

Effective: January 22, 2020

New Hampshire Correctional Facility for Women, Warden - RSA 622:33-a
Joanne Fortier, Bow

Effective: May 1, 2020

Waste Management Council - RSA 21:0:9
(Rep. Of community which recycles or recovers solid waste)
Michael W. Durfor, Sunapee

Effective: January 22, 2020

CONFIRMATIONS

The Governor and Council confirmed the following:

Advisory Board on Private Investigative Agencies, Bail Recovery Agents, and Security Services - RSA 106-F:3-a
(NH Licensed Investigator)

Quentin B. Estey, Peterborough
Vacancy

Effective: January 22, 2020
Term: January 22, 2023

Advisory Board on Private Investigative Agencies, Bail Recovery Agents, and Security Services - RSA 106-F:3-a
(NH Licensed Investigator)
Anthony W. Raymond, Holderness
Vacancy
Effective: January 22, 2020
Term: January 22, 2022

Advisory Board on Private Investigative Agencies, Bail Recovery Agents, and Security Services - RSA 106-F:3-a
(General Public)
David Place, Amherst
Vacancy
Effective: January 22, 2020
Term: January 22, 2021

Advisory Board on Private Investigative Agencies, Bail Recovery Agents, and Security Services - RSA 106-F:3-a
(Law Enforcement Community)
Vincent A. Baiocchetti, Gilmanton
Vacancy
Effective: January 22, 2020
Term: January 22, 2022

Advisory Council on Unemployment Compensation - RSA 282-A:128
(Employers)
Matthew J. Kfoury, Manchester
Reappointment
Effective: January 22, 2020
Term: March 26, 2023

Commissioner, Department of Health and Human Services - RSA 126-A:5, I
Lori Shibinette, Northfield
Succeeding: Kerrin A. Rounds, Bristol (Interim Commissioner)
Salary: LG, MM, \$143,704.34
Effective: February 1, 2020
Term: February 1, 2024

Deputy Chief Medical Examiner, New Hampshire Department of Justice - RSA 611-B:3
Mitchell L. Weinberg, Edmonton Canada
Vacancy
Salary: RSA 94:3-b, \$240,000
Effective: April 24, 2020
Term: January 28, 2023

Division of Motor Vehicle, Deputy Director - RSA 21-P:11-a
Michael D. Todd, Concord
Succeeding: William R. Joseph, Bristol (resigned)
Salary: LG, GG, \$103,059.32
Effective: January 22, 2020
Term: August 9, 2020

NOMINATIONS

The following nominations were submitted:

Artist Laureate - RSA 3-D
Amanda E. Whitworth, Ashland
Succeeding: Gary Sampson, Concord
Effective: February 18, 2020
Term: February 18, 2022

Board of Land Surveyors - RSA 310-A:55
William J. Doucet, Newmarket
Reappointment
Effective: Upon Confirmation
Term: August 12, 2024

Board of Medical Imaging and Radiation Therapy - RSA 328-J:3
(Radiologist)
Jocelyn D. Chertoff, Hanover
Succeeding: Frederick T. Olive, New London
Effective: Upon Confirmation
Term: September 7, 2021

Commissioner, Insurance Department - RSA 400-A
Christopher R. Nicolopoulos, Bow
Succeeding: John L. Elias, Henniker (resigned)
Salary: LG, II, \$118,707.68
Effective: Upon Confirmation
Term: 3 years from confirmation

Director of Operations, Department of Information and Technology - RSA 21-R:3,II
Wendy J. Pouliot, Chichester Effective: Upon Confirmation
Reappointment Term: 4 years from Confirmation
Salary: LG,HH, \$117,805.48

Family Mediator Certification Board - RSA 328-C:4
Robert D. Hunt, Gilmanston Effective: Upon Confirmation
Succeeding: Peter D. Goldsmith, Mason Term: October 11, 2022

Independent Investment Committee - RSA 100-A:14-b-I
(Nonvoting member)
(Professional Fire Fighters of NH)
Michael F. McMahon, Hampton Effective: Upon Confirmation
Vacancy Term: 3 years from confirmation

Interim Executive Director, Office of Professional Licensure and Certification - RSA 4:5
Lindsey B. Courtney, Manchester Effective: Upon Confirmation
Succeeding: David L. Grosso, New Boston Term: March 15, 2020
Salary: LG, II, \$95,219.28

New Hampshire Motor Vehicle Industry Board - RSA 357-C:12
Paula M. Hiuser, Laconia Effective: Upon Confirmation
Succeeding: William S. Fenollosa, Hopkinton Term: January 9, 2024

Real Estate Appraisers Board - RSA 310-B
Mark Correnti, Hollis Effective: Upon Confirmation
Succeeding: Douglas Martin, Charlestown Term: August 12, 2022

CONSENT CALENDAR AGENDA

The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Prescott acted as follows:

#1 **MOP 150, I, B (1): Expenditure Approvals**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
Office of the Commissioner**

#A. Authorized to enter Tabitha J. Coykendall into an educational tuition agreement with University of Massachusetts-Boston, Boston, MA, to participate in Marketing of Aging Services; and Human Resources and Personnel Management in Aging Services during the period of February 3, 2020 through May 8, 2020, and to pay said costs in an amount of \$2,175. **20% Federal, 80% General Funds.**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
Office of the Commissioner**

#B. Authorized to enter Susan K. Murphy into an educational tuition agreement with Cornell University, Ithaca, NY, to participate in Project Management Certificate Program during the period of January 27, 2020 through April 20, 2020, and to pay said costs in the amount of \$2,925. **20% Federal, 80% General Funds.**

DEPARTMENT OF INFORMATION TECHNOLOGY

#C. Authorized to pay the National Association of State Technology Directors, Lexington, KY, the amount of \$4,500 for the Fiscal Year 2020 membership dues. Effective March 1, 2020 through February 28, 2021. **100% Other Funds (The Agency Class 027 used to reimburse DoIT is 40% General Funds and 60% Other).**

#2 **MOP 150, I, B (2): Approval of Acceptances** - NONE

#3 **MOP 150, I, B (3): Reports and Findings**

DEPARTMENT OF STATE

#A. Authorized to accept and place on file the Department of State's Annual report for the period of July 1, 2018 through June 30, 2019.

#4 **MOP 150, I, B (4): Nominations, Confirmations and Appointments**

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#A. Authorized the confirmation of Captain Jennifer C. W. Delker, Fayette, ME, for promotion to the rank of Major, NH Air National Guard.

#5 **MOP 150, I, B (5): Other Items**

DEPARTMENT OF ENVIRONMENTAL SERVICES

#A. Authorized to amend an agreement with the Cobbett's Pond Improvement Association (originally approved by G&C on 9-5-18, item #30), for the *Cobbett's Pond Watershed Restoration Plan Implementation Phase IV – Bella Vista Areas Stormwater BMP's* project by changing the scope of services and realigning the task budget. Effective upon G&C approval through March 31, 2021. No Cost Amendment. **100% Federal Funds.**

DEPARTMENT OF SAFETY

#B. Authorized the Division of Emergency Services & Communications to enter into a memorandum of understanding with the US Department of Interior for use of Federal interoperability radio frequencies. Effective upon G&C approval through December 31, 2025.

REGULAR AGENDA

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Commissioner

#6 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Prescott, authorized to make a **retroactive** one-time payment from SFY 2020 funds to Hannah Madison, Child Protective Service Worker III in the amount of \$1,692.68 to compensate the employee for wages that were not paid for SFY 2019. **61% General, 39% Federal Funds.**

Bureau of Elderly and Adult Services

#7 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Volinsky, authorized the Division for Long Term Supports and Services to budget and expend prior year carry forward Civil Monetary Penalty funds from the Dedicated Fund established in the amount of \$1,113,509. Effective upon G&C Approval through June 30, 2020. **100% Funds. Fiscal Committee approved.**

Division of Long Term Supports and Services

#8 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Volinsky, authorized to amend an existing agreement with 1 of the 4 contractors: Area Agency of Greater Nashua Inc., d/b/a Gateways Community Services (originally approved by G&C on 10/26/16, item #14), for the continued illnesses and/or disabilities, with no change to the aggregate price of \$1,912,141.19 and no change to the contract completion date of June 30, 2020.

Division of Children, Youth & Families

#9 The Governor and Council on motion of Councilor Cryans, seconded by Councilor Volinsky, authorized to amend an existing **sole source** agreement with NH Coalition Against Domestic and Sexual Violence, Concord, NH (originally approved by G&C on 6-7-17, item #11), to continue providing a statewide domestic violence prevention program, by increasing the price by \$266,702 from \$5,654,460 to \$5,921,162. Effective upon G&C approval through the original completion date of June 30, 2021. **100% General Funds.**

New Hampshire Hospital

#10 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Volinsky, authorized to transfer general funds, within various class lines. Effective upon G&C approval through June 30, 2020. **100% General Funds. Fiscal Committee approved.**

#11 NOT USED

Division of Economic & Housing Stability

The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Prescott acted as follows:

#12 Authorized the Bureau of Client Services to accept and expend Federal Funds in the amount of \$1,774,953 from the Centers for Medicare and Medicaid Services for purposes of making changes to the New HEIGHTS eligibility systems to comply with federally required guideline, assessment of New HEIGHTS based on the security and privacy controls in Minimum Acceptable Risk Standard for Exchanges; improving operational efficiencies through automation, and boosting client accessibility and continuity of service. (2) Further authorized to increase Class 046 – Consultants to amend a contract for the purposes as described above. Effective upon G&C approval through June 30, 2020. **100% Federal Funds.**

#13 Authorized to enter into a **sole source** agreement with The Lakes Region Mental Health Center Inc., Laconia, NH, to provide a Permanent Housing Program to individuals experiencing homelessness through the Federal Continuum of Care Program in an amount not to exceed \$41,048. Effective January 1, 2020 or upon G&C approval, whichever is later, through January 31, 2021. **100% Federal Funds.**

Division for Behavioral Health

The Governor and Council on motion of Councilor Cryans, seconded by Councilor Prescott acted as follows:

#14 Authorized to enter into a **retroactive sole source** agreement with Headrest, Lebanon, NH, to provide suicide hotline prevention services, in an amount not to exceed \$400,000. Effective July 1, 2019 through June 30, 2021. **100% General Funds.**

#15 Authorized to enter into a **retroactive sole source** agreement with FIT/NHNNH Inc., Manchester, NH, to provide stabilization services for persons experiencing substance use disorder in an amount not to exceed \$250,000. Effective December 1, 2019 through June 30, 2020. **100% General Funds.**

#16 Authorized with Councilor Volinsky recusing himself and Councilor Gatsas voting **no**, to amend an existing **sole source** agreement with Harbor Homes Inc., Nashua, NH (originally approved by G&C on 6-1-16, item #13), to support ongoing efforts of the Peer Recovery Support Services Facilitating Organization to develop infrastructure and provide program support to a growing number of Recovery Centers, statewide, by increasing the price by \$647,000 from \$7,802,058 to \$8,449,058 with no change to the completion date of June 30, 2020. **100% General Funds.**

Division of Public Health Services

The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Prescott acted as follows:

#17 Authorized to enter into an agreement with Perry Johnson Laboratory Accreditation Inc., Troy, MI, to provide ISO-IEC 17025:2019 Accreditation for microbiology and chemistry laboratory procedures conducted at the Public Health Laboratories, in an amount not to exceed \$27,685. Effective January 1, 2020, or upon G&C approval, whichever is later, through December 31, 2023. **100% Federal Funds.**

#18 Authorized to exercise a renewal option and amend an existing agreement with Accela Inc., San Ramon, CA (originally approved by G&C on 3-13-15, item #12A), to provide support and maintenance of the Food Protection Licensing and Inspection Information System, by increasing the price by \$284,035 from \$480,535 to \$764,570, and by extending the completion date from March 30, 2020 to March 30, 2025. **100% General Funds.**

#19 Authorized to amend an existing agreement with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH (originally approved by G&C on 6-21-17, item #49), for the provisions of a Commodity Supplemental Food Program and Senior Farmers Market Nutrition Program, statewide, by decreasing the price by \$28,514 from \$1,509,903 to \$1,481,389, with no change to the completion date of September 30, 2021. **100% Federal Funds.**

#19A Authorized to **retroactively** extend a Memorandum of Understanding with the Department of Justice, Concord, NH (originally approved by G&C on 1-28-15, item #11), for the purpose of collecting, linking and analyzing data from various sources regarding violent deaths including homicides, suicides, and firearm deaths of all intents, by increasing the price by \$401,878 from \$630,855 to \$1,032,733. Effective September 1, 2019 through August 31, 2022. **100% Federal Funds.**

#19B Authorized to **retroactively** extend a Memorandum of Understanding with the Department of Justice, Concord, NH (originally approved by G&C on 11-22-17, item #18), to engage in collection of data related to opioid overdose deaths as instructed in the Overdose Data to Action Grant, by increasing the price by \$522,940 from \$174,091 to \$697,031 and by extending the completion date from August 31, 2019 to August 31, 2022. **100% Federal Funds.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Prescott acted as follows:

#20 Authorized the Project Development Division to transfer \$5,000,000 between various accounts and classes. Effective upon G&C approval through June 30, 2020. (2)Further authorized to accept and expend revenue in the amount of \$2,106,165 from the Federal Highway Administration to cover required reimbursement of right of way costs. Effective upon G&C approval through June 30, 2020. **100% Federal Funds. Fiscal Committee approved.**

#21 Authorized, with the Department of Business and Economic Affairs, to enter into a memorandum of understanding for \$2,269,040 for the management of Highway and Turnpike supported Safety Rest Areas/Welcome and Information Centers. Effective upon G&C approval through June 30, 2025. **100% Turnpike Funds.**

#22 Authorized the Bureau of Right of Way to proceed with the sale of 4.67 +/- acres of state owned land on the Southerly side of NH Route 103 in the Town of Warner directly to the Town of Warner for \$14,600, which includes the \$1,100 Administrative Fee. Effective upon G&C approval. Originally purchased with 50% Federal, 50% Highway Funds.

#23 Authorized the Bureau of Turnpikes to **retroactively** continue membership and participation with the International Bridge, Tunnel and Turnpike Association, Washington, DC, by paying annual membership dues in the amount of \$36,313 for Calendar Year 2020. **100% Turnpike Funds.**

#24 Authorized the Bureau of Right of Way to pay a property owner \$7,200 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from November 20, 2019 through December 16, 2019. Effective upon G&C approval.

#25 Authorized the Bureau of Right of Way to pay property owners \$20,180 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from December 17, 2019 through December 18, 2019. Effective upon G&C approval.

#26 Authorized to accept and place on file the Bureau of Right of Way's Contemplated Awards List for amounts less than \$5,000 for the sum total of \$54,260.29 for the period extending from October 1, 2019 through December 31, 2019. These awards are paid from various Transportation Funds.

#27 Authorized the Bureau of Right of Way to pay a property owner \$44,900 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from December 19, 2019 through December 26, 2019. Effective upon G&C approval.

#28 Authorized the Bureau of Rail & Transit's request for concurrence that a Public-Private Partnership approach is appropriate for the long term lease and management of the Portsmouth and Dover Bus Terminals and that the Department should develop a request for proposals to select an operator.

#29 Authorized the Bureau of Turnpikes to continue membership and participation with the E-ZPass Interagency Group, New York, NY, by paying annual membership dues in the amount of \$75,000 for Calendar Year 2020. Effective upon G&C approval. **100% Turnpike Funds.**

#30 Authorized the Bureau of Turnpikes to **retroactively** accept and expend revenue in the amount of \$17,400 from Geico Secure Insurance Company, for settlement of property damage claim for a Turnpike tractor mower. Effective upon G&C approval through June 30, 2020. **99.1% Turnpikes, 0.9% Other Funds.**

#31 Authorized the Bureau of Turnpikes, Division of Operations to **retroactively** amend an existing professional service contract for the NH E-ZPass Back Office with Cubic Transportation Systems Inc. (originally approved by G&C on 10-7-15, item #25), to restructure the schedule for deliverables, payment of project delivery and Operation and Maintenance costs, and Key Performance Indicators of the contract. Effective January 1, 2020 through June 30, 2020. No Additional Funding.

#32 Authorized the Bureau of Rail & Transit to enter into a **retroactive** contract with the NH Northcoast Corp., Ossipee, NH, for track improvements on its privately-owned short line railroad that runs between Rollinsford and Ossipee, NH in Strafford and Carroll Counties. Effective December 1, 2019 through June 30, 2021. **100% Capital General Funds.**

#33 Authorized the Bureau of Rail & Transit to enter into a contract with the St. Lawrence & Atlantic Railroad Company, Auburn, ME, for track improvements on its privately-owned short line railroad that runs through Northumberland, NH, for an amount not to exceed \$900,000. Effective upon G&C approval through June 30, 2022. **100% Capital General Funds.**

#34 Authorized the Bureau of Rail & Transit to enter into transportation vehicle agreements with the sub-recipients as detailed in letter dated December 2, 2019. Effective upon G&C approval through the date the vehicles are disposed. **85% Federal, 7.5% Capital General, 7.5% Private/Local Funds.**

#35 Authorized the Bureau of Construction to enter into a contract with Pike Industries Inc., Belmont, NH, for incremental widening and overlay of I-93 to a four lane facility from Exit 1 in Salem to just north of Exit 3 in Windham, on the basis of a low bid of \$6,839,152.50. (2)Further authorized a contingency in the amount of \$341,957.63 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through August 28, 2020. **100% Federal Funds.**

#36 Authorized the Bureau of Construction to enter into a contract with Northeast Earth Mechanics Inc., Pittsfield, NH, for sidewalk curb ramp upgrades, on the basis of a low bid of \$747,055. (2)Further authorized a contingency in the amount of \$37,352.75 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through June 26, 2020. **100% Federal Funds.**

#37 Authorized the Bureau of Construction to enter into a contract with R.M. Piper Inc., Plymouth, NH, for bridge preservation of Br. No. 194-146, NH 28 over inactive NHRR in the Town of Ossipee, on the basis of a low bid of \$539,848.70. (2)Further authorized a contingency in the amount of \$53,984.87 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through October 16, 2020. **100% Betterment Funds.**

#38 Authorized the Bureau of Transportation Systems Management & Operations to enter into a contract amendment with Southwest Research Institute, San Antonio, TX (originally approved by G&C on 5-23-14, item #101), for the continued support of Maintenance and Operations and Enhancements, by increasing the amount by \$750,000 from \$6,634,945.55 to \$7,384,945.55. Effective upon G&C approval. **100% Federal Funds.**

#39 Authorized the Bureau of Aeronautics to provide funding to the Franconia Soaring Foundation, owner of the Franconia Airport, to provide maintenance and restoration to the turf airfield surfaces, in the amount of \$12,684. Effective upon G&C approval through January 31, 2023. **100% Other Funds (Agency Income).**

#40 Authorized the Bureau of Materials & Research to enter into an agreement with Terracon Consultants Inc., Manchester, NH, for the purposes of providing materials testing and construction inspection services, for total fees not to exceed \$300,000. Effective upon G&C approval through December 31, 2021. **100% Federal Funds.**

#41 Authorized the Bureau of Materials & Research to enter into a **sole source retroactive** agreement with the NorthEast Transportation Training & Certification Program Inc., Marshfield, MA, to participate in NHTTCP's training and certification program, for a fee not to exceed \$65,000. Effective January 21, 2020 through December 31, 2021, with the option to renew for an additional two-year period. **100% Federal Funds.**

OFFICE OF STRATEGIC INITIATIVES

The Governor and Council on motion of Councilor Prescott, seconded by Councilor Gatsas acted as follows:

#42 Authorized to enter into a memorandum of agreement with the NH Department of Fish and Game, Concord, NH, to utilize funding from the Volkswagen Environmental Mitigation Trust to partially fund the purchase and replacement of certain F&G vehicles, in the amount not to exceed \$200,100. Effective upon G&C approval through June 30, 2021. **100% Volkswagen Funds.**

#43 Authorized to enter into a memorandum of agreement with the NH Department of Corrections, Concord, NH, to utilize funding from the Volkswagen Environmental Mitigation Trust to partially fund the purchase and replacement of certain DOC vehicles, in the amount not to exceed \$267,620. Effective upon G&C approval through June 30, 2021. **100% Volkswagen Funds.**

#44 Authorized to enter into a memorandum of agreement with the NH Department of Safety, Concord, NH, to utilize funding from the Volkswagen Environmental Mitigation Trust to partially fund the purchase and replacement of certain DOS vehicles, in the amount not to exceed \$691,200. Effective upon G&C approval through June 30, 2021. **100% Volkswagen Funds.**

DEPARTMENT OF INFORMATION TECHNOLOGY

The Governor and Council on motion of Councilor Prescott, seconded by Councilor Volinsky acted as follows:

#45 Authorized to accept and expend \$61,477 in SFY 2020 and \$206,948 in SFY 2021 from The Office of Professional Licensure and Certification to fund two full-time temporary positions. (2)Further authorized to establish two full-time temporary positions: one Information Technology Manager III, and one Business Systems Analyst I. Effective upon G&C approval through June 30, 2021. **100% Other (Agency 027) Funds: the funds used by OPLC to reimburse DoIT is 100% Agency Income. Fiscal Committee approved.**

#46 Authorized to establish a class 046 consultant position for the purpose of hiring independent consultants to plan and facilitate the cyber class 046 consultant position for the purpose or hiring independent consultants to plan and facilitate the cyber incident response training materials, workshops and tabletop exercises. (2)Further authorized to accept and expend \$25,000 in State Fiscal Year 2020 from the State Homeland Security Grant Program funds available from the Department of Safety for the funding of a Cyber Incident response training and exercise project consisting of training materials, workshops and tabletop exercises to train senior state leadership in the execution of cybersecurity incident response plans. Effective upon G&C approval through June 30, 2021. **100% Other Funds; the funds used by DOS to reimburse DoIT are 100% Homeland Security Grant Funds. Fiscal Committee approved.**

OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION

The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Prescott acted as follows:

#47 Authorized to accept and expend an additional \$61,477 in SFY 2020 and \$206,948 in SFY 2021 to fund two dedicated DoIT full time temporary positions. Effective upon G&C approval through June 30, 2021. **100% Agency Income. Fiscal Committee approved.**

#48 Authorized to accept and expend additional agency funds in the amount not to exceed \$80,535 for additional part time salaries and associated benefits. Effective upon G&C approval through June 30, 2020. **100% Agency Income.**

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Prescott acted as follows:

#49 Authorized to **retroactively** enter into a memorandum of understanding with the NH Civil Air Patrol to allow for the use of Department of Military Affairs and Veterans Services facilities by the Civil Air Patrol for the purpose of conducting meetings, drills and activities which are necessary for and conducive to the operations, training and support of the Civil Air Patrol function in the State of NH. Effective January 1, 2020 through December 31, 2022, with the option to renew for three additional years. No Cost MOU.

#50 Authorized to enter into a **retroactive** amendment to a contract with RTH Mechanical Contractors Inc., Brentwood, NH (originally approved by G&C on 11-14-18, item #40), for the purpose of extending the completion date from September 30, 2019 to March 31, 2020. **100% Federal Funds.**

DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

#51 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Gatsas, authorized a salary increment for the Commissioner, Shawn N. Jasper, from the current unclassified salary grade of HH, step 4 \$101,156.12 to grade HH, step 5 \$106,705.56. Effective upon G&C approval.

NEW HAMPSHIRE EMPLOYMENT SECURITY

The Governor and Council on motion of Councilor Gatsas, seconded by Councilor Volinsky acted as follows:

#52 Authorized to accept and expend funds within the accounting unit, Job Training Program, in the amount of \$2,886,942 to cover anticipated remaining SFY 2020 and 2021 expenditures. (2)Further authorized to establish additional part-time positions in expenditure class 050-Personal Services-Temporary, for the purpose of supporting the Job Training Program. Effective upon G&C approval through June 30, 2021. **100% Other Funds – Job Training Program. Fiscal Committee approved.**

#53 Authorized to accept and expend \$400,000 in other funds from the NH Department of Business and Economic Affairs for the purpose of providing integrated case management services. Effective upon G&C approval through June 30, 2020. **100% Other Funds. Fiscal Committee approved.**

#54 Authorized to enter into a **sole source** contract with Awesome Service Affordable Pricing Landscaping & Design LLC d/b/a ASAP Landscape & Design LLC, Bow, NH, for rooftop and perimeter snow removal services at NHES Claremont, Concord, Laconia, Nashua, Portsmouth and Somersworth offices, in the amount not to exceed \$18,000. Effective upon G&C approval through June 30, 2020. **100% Federal Funds.**

DEPARTMENT OF CORRECTIONS

#55 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Gatsas, authorized to transfer \$4,262,049 among accounts listed on the detailed exhibit to reallocate appropriations and cover overtime shortfalls. Effective upon G&C approval through June 30, 2020. **100% General Funds.**

FISH AND GAME DEPARTMENT

#56 The Governor and Council on motion of Councilor Gatsas, seconded by Councilor Prescott, authorized to enter into a First Amendment of Lease Agreement with the City of Dover (originally approved by G&C on 1-28-15, item #41), for the purpose of managing and maintaining the City owned public access site on Barbados Pond. Effective upon G&C approval through January 28, 2025. No funding is involved.

DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Cryans acted as follows:

#57 Authorized the Division of the Arts to award a Public Value Partnership Grant to Symphony NH, Nashua, NH, in the amount of \$13,500 to strengthen their capacity for affordable diverse arts programs to NH residents and visitors. Effective upon G&C approval through June 30, 2020. **100% General Funds.**

#58 Authorized the Division of Arts to award a Public Value Partnership Grant in the amount of \$15,000 to Friends of the Music Hall, Portsmouth, NH, to strengthen their capacity for affordable diverse arts programs to NH residents and visitors. Effective upon G&C approval through June 30, 2020. **100% Federal Funds.**

#59 Authorized the Division of Arts to award a Public Value Partnership Grant in the amount of \$13,500 to Winnepesaukee Playhouse, Meredith, NH, to strengthen their capacity for affordable diverse arts programs to NH residents and visitors. Effective upon G&C approval through June 30, 2020. **100% General Funds.**

#60 Authorized the Division of Arts to award a Public Value Partnership Grant in the amount of \$13,500 to Rochester Opera House, Rochester, NH, to strengthen their capacity for affordable diverse arts programs to NH residents and visitors. Effective upon G&C approval through June 30, 2020. **100% General Funds.**

#61 Authorized the Division of Arts to award a Public Value Partnership Grant in the amount of \$13,500 to Apple Hill Center for Chamber Music, Sullivan, NH, to strengthen their capacity for affordable diverse arts programs to NH residents and visitors. Effective upon G&C approval through June 30, 2020. **100% General Funds.**

#62 Authorized the State Council on the Arts to award a Conservation Number Plate Grant to the Portsmouth Historical Society, Portsmouth, NH, for the renovation of accessible restrooms, in the amount of \$20,000. Effective upon G&C approval through June 30, 2020. **100% Other Funds (Agency Income).**

#63 Authorized the State Council on the Arts to enter into a contract with Terrence Parker d/b/a Terrafirma Landscape Architecture, Portsmouth, NH, for creation of artwork for the bathhouse at Jenness Beach in Rye, in the amount of \$12,500. Effective upon G&C approval through June 30, 2020. **100% Other Funds. (Agency Income).**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council on motion of Councilor Prescott, seconded by Councilor Volinsky acted as follows:

#64 Authorized to award state aid grant funds for wastewater facility projects for the eight entities as detailed in letter dated December 30, 2019, in the aggregate amount of \$5,606,183. Effective upon G&C approval. **100% General Funds.**

#65 Authorized to accept and expend \$34,488 from the Department of Safety, Division of Homeland Security and Emergency Management to support the Flood Hazards Program. Effective upon G&C approval through September 30, 2020. **100% Federal Pass-Thru Funds.**

#66 Authorized a Clean Water State Revolving Fund loan agreement with the City of Dover, in an amount not to exceed \$100,000 to finance the Chapel Street Ravine Stormwater Planning Study project. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#67 Authorized a Clean Water State Revolving Fund loan agreement with the Town of Milford, in an amount not to exceed \$30,000 to finance the Wastewater Collection System Asset Management Program. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#68 Authorized a Clean Water State Revolving Fund loan agreement with the City of Lebanon, in an amount not to exceed \$1,856,000 to finance the CSO #13 Sewer Separation project. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#69 Authorized Karen A. Finnegan's and Anthony J. Jalbert's request to perform work on Rye Harbor in Rye.

NEW HAMPSHIRE VETERANS HOME

#70 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Gatsas, authorized the increase of salary of Margaret D. LaBrecque, Commandant, unclassified position at labor grade HH, to establish a \$1,000 differential above a subordinate classified employee, at the annual salary of \$122,493 which is \$3,687 above labor grade HH maximum step on the unclassified salary chart. Effective upon G&C approval. **29% Federal, 47% General, 24% Other Funds.**

DEPARTMENT OF EDUCATION

The Governor and Council on motion of Councilor Gatsas, seconded by Councilor Prescott acted as follows:

#71 **FAILED** – Councilors Cryans, Volinsky and Pignatelli voted **no**. The Governor and Council **failed** to authorize a salary increment for the Commissioner of Education, Frank Edelblut from the current unclassified salary grade of KK, step 3 \$109,305.04 to salary grade KK, step 4 \$115,661. Effective February 15, 2020.

#72 Authorized to enter into a **sole source** contract with the NH College and University Council, Concord, NH, to implement the NH Scholars Program by expanding professional development opportunities and improving teacher quality for secondary teachers and counselors regarding academic rigor and promotion of STEM (Science, technology, engineering, and mathematics) studies, to promote high school student career and college readiness through participation in a rigorous high school curriculum; and to encourage enrollment in postsecondary STEM studies, in an amount not to exceed \$200,200. Effective upon G&C approval through September 30, 2021. **100% General Funds.**

#73 Authorized with Councilor Volinsky voting **no**, the Bureau of Career Development to enter into a contract with RMC Research Corporation, Portsmouth, NH, to provide consulting services to assess and evaluate the statewide delivery mode for NH career and technical education, in the amount of \$223,643.90. Effective upon G&C approval through December 31, 2020. **100% Federal Funds.**

NEW HAMPSHIRE LOTTERY COMMISSION

#73A The Governor and Council on motion of Councilor Cryans, seconded by Councilor Volinsky, authorized to enter into a **sole source** contract with Scott's Integrity Automotive Inc., Concord, NH, for automotive services for agency fleet vehicles, for a price not to exceed \$55,000. Effective January 22, 2020 through December 31, 2021. **100% Lottery Funds.**

DEPARTMENT OF SAFETY

The Governor and Council on motion of Councilor Cryans, seconded by Councilor Volinsky acted as follows:

#74 Authorized the Division of Homeland Security and Emergency Management to enter into a contract with Toshiba Business Solutions, Bedford, NH, for a color multifunction device per specifications of Bid #Graphics 2019-01, in the amount of \$21,500. Effective upon G&C approval through February 1, 2025. **57.92% Federal, 24.75% Private and Local, 17.33% General Funds.**

#75 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with Nashua Regional Planning Commission, for a total amount of \$35,000.25 to update local hazard mitigation plans for several communities. Effective upon G&C approval through April 1, 2022. **100% Federal Funds.**

#76 Authorized the Division of State Police to accept and expend \$98,092 of federal pass-through funds from the NH Department of Justice to combat sex and labor human trafficking statewide. Effective upon G&C approval through June 30, 2021. **100% Agency Income.**

#77 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with Southwest Regional Planning Commission, for a total amount of \$39,000 to update the local hazard mitigation plans for several communities. Effective upon G&C approval through April 1, 2022. **100% Federal Funds.**

#77A Authorized the Division of Motor Vehicles to enter into a **sole source** contract amendment with Tech Mahindra (originally approved by G&C on 12-20-13, item #92), for the purpose of enhancing existing services along with providing new services, by increasing the price by \$2,864,000 from \$13,583,254 to a total of \$16,447,254. Effective upon G&C approval through June 30, 2022. **54.61% Transfer from Other Agencies, 45.39% Capital Funds.**

DEPARTMENT OF JUSTICE

The Governor and Council on motion of Councilor Prescott, seconded by Councilor Cryans acted as follows:

#78 Authorized to enter into a subgrant with the NH Department of Safety, Concord, NH, in an amount not to exceed \$58,973, from the Federal Fiscal Year 2019 Byrne JAG-Sex Offender Registration and Notification Act Grant to help maintain the Sex Offender Registry and to assist with training funds for the State Police Sex Offender Unit. Effective upon G&C approval through July 31, 2021. **100% Federal Funds.**

#79 Authorized to enter into subgrants with the Department of Safety and Merrimack County, in the amount of \$465,522 from the US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, NH Enhanced Collaborative Model Task Force to Combat Human Trafficking, for the purpose of combatting human trafficking. Effective upon G&C approval through September 30, 2022. **100% Federal Funds.**

#79A Authorized with Councilor Pignatelli recusing herself, to budget and expend reimbursement funds in the amount of \$420,309, received by parties involved with proposed hospital mergers for the purpose of covering projected shortfalls in general litigation expenses in the defense of the State and the prosecution of criminal law. Effective upon G & C approval through June 30, 2020. **100% Agency Income. Fiscal Committee approved. (2.)** Further authorized pursuant to RSA 7:12, to accept and expend a sum, not to exceed \$300,000, as amended by Fiscal Committee, from funds not otherwise appropriated, for the purpose of covering projected shortfalls in general litigation expenses incurred in the defense of the State and the prosecution of criminal laws. Effective upon G & C approval through June 30, 2020. **100% General Funds. Fiscal Committee approved as amended.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council on motion of Councilor Cryans, seconded by Councilor Volinsky acted as follows:

#80 Authorized the Division of Public Works Design and Construction to enter into a **sole source** contract amendment with KOAL PLLC, Belmont, NH (originally approved by G&C on 3-21-18, item #73), at the request of the Department of Environmental Services, for Professional Services related to completing the construction documents and providing construction administration for the construction of the DES Construction and Operations Facility, by increasing the base amount by \$434,071 from \$338,906 to \$772,977. Effective upon G&C approval through April 30, 2021. **100% General-Capital Funds.**

#81 Authorized the Division of Public Works Design and Construction to enter into a **sole source** contract amendment with Coover Clark & Associates, Denver, CO (originally approved by G&C on 9-20-18, item #80), at the request of the Department of Military Affairs and Veterans Services for Professional Services to include design and preparation of construction drawings and documents for existing AASF Renovation, UH-60 Helicopter Hangar and the State Police Hangar located in Concord, NH, by increasing the base amount by \$1,113,434 from \$447,210 to \$1,560,644. Effective upon G&C approval through October 31, 2021. **50% Federal, 50% General Funds.** (2)Further authorized the amount of \$70,800 for payment to the Department of Administrative Services, Division of Public Works Design and Construction, for engineering services provided, bringing the total to \$1,184,234. **50% Federal, 50% General Funds, and 100% Federal Funds.**

#82 Authorized the Division of Personnel's request for waiver of classification decisions. Effective upon G&C approval.

#83 Authorized to enter into a **sole source** amendment to a current contract with Powerhouse Equipment & Engineering Co., Inc., Delanco, NJ (originally approved by G&C on 4-11-18, item #106), for portable steam boiler rental services, by increasing the amount by \$99,840 from \$836,820 to \$936,660, and by extending the completion date from January 31, 2020 to April 30, 2020. **100% General Funds.**

#84 Authorized to enter into a **sole source** supplemental contract with Liberty Utilities, (EnergyNorth Natural Gas) Corp., d/b/a Liberty Utilities, Londonderry, NH, for a total price not to exceed \$569,004 in accordance with the settlement agreement of the extra costs associated with the installation and operation of the temporary heating facilities in Concord, NH, during the period of March 1, 2017 through November 1, 2018. Effective upon G&C approval and shall terminate upon payment of the fourth and final monthly invoice in approximately five months. The cost of the contract will be paid in 4 monthly installments of \$142,251, contingent upon availability and continued appropriations through various individual Department of Administrative Services budgeted utility line expenditures.

#85 Authorized an annual salary step increase for Catherine Keane, Deputy Commissioner of the Department of Administrative Services from Grade JJ, Step 6 \$125,160.36 to Grade JJ, Step 7 \$131,357.20. Effective January 31, 2020.

#86 Authorized an annual salary step increase for Gary Lunetta, Director of the Division of Procurement and Support Services at the Department of Administrative Services from Grade HH, Step 5 \$106,705.56 to grade HH, Step 6 \$112,255.52. Effective January 17, 2020.

*

The Next regular Governor and Executive Council meeting is scheduled for Wednesday February 5, 2020, at the State House, Concord, New Hampshire.

The Honorable Board then Adjourned at 12:00 p.m.